

Appl. No. 10/776786
Reply to Action dated 3/20/2006
Page 6

REMARKS

Reconsideration and reexamination of the application are requested. The drawings and specification are amended. Claims 1, 3, 5 and 7 are amended. New claim 8 is added, and is supported by the original disclosure, for example page 7, lines 7-8. Claims 1-8 are pending.

Drawing objections

The drawings are objected to because Figure 6 should be designated by a legend such as "Prior Art". Applicant proposes amending Figure 6 to add the legend "Prior Art". A replacement sheet incorporating this change to Figure 6 is enclosed.

The drawings are also objected to for not showing every feature recited in the claims. In particular, the objection alleges that the combination of a socket mounted to a stay suspended from the rear carrier and mounted forwardly of the rear end of the rear carrier is not shown. Applicant respectfully traverses.

The combination of features mentioned by the Examiner is illustrated in Figure 5. As described, a key concept of the invention is to position the accessory socket forwardly of the rear end of the rear carrier (see page 8, lines 1-8). One disclosed embodiment for doing so is to connect the socket to a stay or a supporting member that is connected to the rear carrier (see page 8, line 15 to page 9, line 2). The Examiner alleges that Figure 5 shows the stay 18 mounted to the rear end of the carrier. However, that is not the case. The stay 18 shown in Figure 5 is actually connected to a portion of the rear carrier other than the rear end, with the top end of the stay 18 being positioned forwardly of the rear most bar of the carrier that is visible in Figure 5. Therefore, the socket in Figure 5 is actually positioned forwardly of the rear end, consistent with the key concept of positioning the socket forwardly of the rear end of the rear carrier.

Appl. No. 10/776786
Reply to Action dated 3/20/2006
Page 7

Specification objection

The abstract is objected to for the reasons noted. The abstract has been amended to remove the word "means".

35 USC 112, second paragraph rejection

Claims 5 and 7 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. The claims are definite. Withdrawal of the rejection is requested.

With respect to claim 5, it is clear from claim 1 that the socket is forward of the rear end. Applicant traverses the assertion that the subject matter of claim 5 is not disclosed. The specification clearly indicates that the socket, including the socket illustrated in Figure 5, is forward of the rear end. Further, claim 5 is part of the original disclosure, and thus the subject matter of claim 5 is disclosed.

Claim 7 has been amended to remove the word "means".

Prior art rejections

Claims 1, 2, 6 and 7 are rejected under 35 USC 102(b) as being anticipated by Matsuura et al., (US 2001/0047896).

In addition, claim 3 is rejected under 35 USC 103(a) as being unpatentable over Matsuura et al. (US 2001/0047896).

Further, claim 5 is rejected under 35 USC 103(a) as being unpatentable over Matsuura et al (US 2001/0047896) in view of Putnam (US 5,288,094).

Applicant respectfully traverses.

Matsuura does not teach or suggest an accessory socket provided forwardly of the rear end of the rear carrier and downwardly of the rear carrier, and positioned to the rear of the driver's seat. With the construction recited in claim 1, the accessory socket is conveniently positioned for connection with an electric accessory that is on the rear carrier as well as with electric accessories located behind the vehicle. In addition, because the socket is positioned to the rear of the driver's seat, the length of the cord of a device connected to the socket can be reduced.

Appl. No. 10/776786
Reply to Action dated 3/20/2006
Page 8

Matsuura discloses an all terrain vehicle with an electrical outlet 90. Matsuura discloses that the outlet 90 can be assembled in the rear fender assembly 44 (paragraphs [0035] and [0043]). However, Matsuura does not describe where in the rear fender assembly 44 the outlet 90 could be positioned.

As illustrated in Figure 1 of Matsuura, the rear fender assembly 44 extends from in front of the rear wheel 16, rearwards to a position above the rear wheel and beneath the rear carrying rack 46. The outlet 90 could be anywhere along the rear fender assembly 44, including in the assembly 44 at a location so that the outlet 90 is in front of the wheel.

Matsuura does not disclose providing the outlet 90 forwardly of the rear end of the rear carrying rack 46 and downwardly of the rear carrying rack 46, and positioned to the rear of the driver's seat 56, as required by claim 1.

Nor is the position of the accessory socket recited in claim 1 obvious from Matsuura. Matsuura suggests only that the outlet 90 can be positioned in the rear fender assembly, without specifying the exact location in the rear fender assembly. Therefore, the only way to conclude that positioning the accessory socket as recited in claim 1 is obvious in view of Matsuura requires impermissible hindsight based solely on Applicant's disclosure.

For at least these reasons, claim 1 is patentable over Matsuura. Claims 2-7 depend upon claim 1 and are patentable for that reason alone and need not be separately distinguished. Applicant does not concede the propriety of the rejections to claims 2-7. Applicant traverses the taking of official notice with respect to claim 3 and requests that the Examiner cite to a reference showing the claimed features.

New claim 8 is also patentable over the prior art. The light from the rear combination lamp allows the accessory socket to be spotted at night.

Appl. No. 10/776786
Reply to Action dated 3/20/2006
Page 9

In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165 at (612) 455-3802.



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Respectfully submitted,

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Appl. No. 10/776786
Reply to Action dated 3/20/2006
Page 2

Amendments to the Drawings

Applicant proposes amending Figure 6 of the drawings by adding the legend "Prior Art". A replacement sheet incorporating this change is included herewith.